



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

August 17, 2004

William C. Corbett, Treasurer  
Mike Crapo for U.S. Senate  
P.O. Box 1948  
Boise, ID 83701

**Response Due Date:**  
**September 16, 2004**

Identification Number: C00330886

Reference: July Quarterly Report (4/1/04-6/30/04)

Dear Mr. Corbett:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Senate Public Records Office by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your report discloses one or more contributions received after the primary election that are designated for the primary. These contributions may only be accepted to the extent that the committee has net debts outstanding from the primary election. (11 CFR §110.1(b)(3)(i))

A contribution is considered made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(b)(6))

If any contribution in question was incompletely or incorrectly reported, you must amend your original report with the clarifying information.

If a contribution exceeds the amount of net debts outstanding from the primary election, you may have to refund or redesignate the contribution.

The funds can be retained if within sixty (60) days of receipt the excessive amount was properly redesignated for a different election. An excessive

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contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election, or (2) the committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR §110.1(b)(5)(ii)(B))

If the foregoing conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded. See 11 CFR §103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating the contributions in question. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or redesignate the excessive amount will be taken into consideration.

-Your report contains financial activity disclosed on a previous report. Overlapping coverage dates create difficulties in tracking the committee's cash flow. Please amend this report to include only the financial transactions that occurred between 5/6/04 and 6/30/04. (2 U.S.C. §434(b))

-Column B figures for the Summary and Detailed Summary Page information should equal the sum of the Column B figures on your previous report and the Column A figures on this report. Please file an amendment to your report to correct the Column B discrepancies for Lines 6(a), 6(b), 6(c), 7(a), 7(b), 7(c), 11(a)(iii), 11(e), 11(f), 14, 15, 16, 17, 20(c), 20(d), 21 and all subsequent report(s) which may be affected by this correction. Note that Column B should reflect only the election cycle-to-date totals. (2 U.S.C. §434(b))

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-The beginning cash balance of this report does not equal the ending balance of your 12 Day Pre-Primary Report. Please correct this discrepancy and amend all subsequent reports(s) that may be affected by the correction.  
(2 U.S.C. §434)(b)(7))

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1165.

Sincerely,



Jill I. Sugarman

Senior Campaign Finance Analyst  
Reports Analysis Division

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